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MATTERS RELATING TO COMMITMENTS

FIRST REVIEW OF THE INFORMATION COMMUNICATED BY EACH PARTY INCLUDED IN ANNEX I OF THE CONVENTION

Note by the secretariat*

Addendum

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- II. Outline of the communication and review process at the first session of the Conference of the Parties

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III. INFORMATION COMMUNICATED BY ANNEX I PARTIES

1. Articles 4, 7 and 12 contain a number of general and specific provisions on national communications. It would be desirable for individual communications from Annex I Parties to be consistent with respect to format and content in order to facilitate the reviews called for in the Convention. Furthermore, appropriate methodologies should be used. In view of the tight schedule for Annex I Parties to the Convention, the Committee may consider giving guidance on the following issues, among others:

A. Format of communications

2. The Committee may wish to indicate which information should be considered essential, and that which would be of lesser importance or optional in a national communication. In addition, consideration might be given to a common framework within which the information communicated could be structured (see annex II to document A/AC.237/36 for a list of possible common elements to be addressed in communications by Annex I Parties). 1/

3. Suggestions on the appropriate length of communications would also be useful. In this context, it may be relevant to note that the Commission on Sustainable Development, at its first session, recommended that information on the follow-up to Agenda 21 provided by Governments in a given year should not exceed fifty pages, and that an executive summary be added of not more than five pages (see document E/CN.17/1993/L.3/Rev.1).

B. Methodologies

4. A number of methodologies are required to prepare comparable communications:

- (a) Comparable methodologies for preparing national inventories of anthropogenic emissions by sources and removals by sinks of all greenhouse gases not controlled by the Montreal Protocol on Substances that Deplete the Ozone Layer (Articles 4.1(a); 7.2(d); 12.1(a)) (see also document A/AC.237/34);
- (b) A methodology or methodologies to assess the effective capacity of sinks and the respective contributions to climate change of each greenhouse gas not controlled by the Montreal Protocol (Article 4.2(c));
- (c) Methodologies for evaluating the effectiveness of measures to limit the emissions and enhance the removals of greenhouse gases not controlled by the Montreal Protocol (Article 7.2(d)); this also refers to methodologies for making projections of anthropogenic emissions by sources and removals by sinks of greenhouse gases not controlled by the Montreal Protocol for the period to the end of the present decade 2/ (Articles 4.2(b), 4.2(c) and 12.2(b)), and to methodologies for calculating global emission trends (Article 12.1(c)).

5. The Committee may wish to consider how to ensure that the best available methodologies are disseminated in time to be used by Annex I Parties in their initial communications.

C. Other issues for consideration

6. Pursuant to the provisions of the Convention, some other issues also have to be considered:

- (a) Flexibility to be allowed to Parties included in Annex I to the Convention undergoing the process of transition to a market economy (Article 4.6) (see documents A/AC.237/34 and A/AC.237/35);
- (b) Criteria for joint implementation (Article 4.2(d)) (see document A/AC.237/35);
- (c) Guidelines on joint communications (Article 12.8) (see document A/AC.237/35);
- (d) Criteria for designating information communicated by a Party as confidential, and thus to be aggregated by the secretariat (Article 12.9);
- (e) Reporting requirements on commitments related to finance, transfer of technology and technical and other cooperation, in accordance with Articles 4.3, 4.4, 4.5 and 12.3; and
- (f) Material relevant for calculations of global emission trends (Article 12.1(c)) (see document A/AC.237/34). 3/

D. Transmission of information

7. The secretariat is required, under Article 12 of the Convention, to receive the communications on behalf of the COP and transmit them to all Parties as soon as possible. In accordance with Article 12.10, the communications must also be made publicly available by the secretariat at the time that they are transmitted to the Parties. It may be assumed that in addition to the Parties, any State or other entity covered by Article 7.6 should receive a copy of each communication as soon as possible. The issue arises as to whether translation of the communications is possible or necessary.

8. It may also be necessary to consider whether summaries of longer communications might be prepared, translated and made available in the official languages of the COP, and if so by whom. Consideration of procedures for translation and transmission of communications should take into account the costs involved and availability of funds.

9. The process of receiving and distributing the communications should be reasonably straightforward, provided that the logistics are assured. For example, it would be helpful if Parties were to supply enough copies of their communications to the secretariat for subsequent distribution. Moreover, the provision of a computer disk with the communication in standard computer language would increase the efficiency of distribution, thanks to the use of electronic communications. The Committee may wish to request the interim secretariat to propose, for consideration at its ninth session, an efficient procedure for distributing communications, including a cost estimate for such a procedure.

10. There may be interest in receiving copies of national communications beyond the circle of those participating in the sessions of the Committee and the COP. It may therefore be appropriate to establish working procedures in this respect, indicating the responsibilities of the secretariat, if any, in addition to those of the originating Parties. In this context, the Parties may take into consideration their commitments under Article 6, with regard to education, training and public awareness. It might also be suggested that Parties designate national contact points, that could provide additional information on their national communications.

E. Technical analysis, compilation and synthesis of information

11. If all potential Parties included in Annex I to the Convention, as well as Parties that have notified the Depositary, in accordance with Article 4.2(g), that they intend to be bound by Article 4.2(a) and (b) ^{4/}, were to provide communications to COP I, 37 such communications, amounting to several hundreds of pages of text, can be expected. The Committee may wish to consider whether a technical analysis of the national communications might be useful to the COP. Such an analysis might verify the methodologies used, compare national data with authoritative international sources, note the inclusion of themes and the absence of data and so on. The accuracy of such an analysis would be checked with each Party concerned. The availability of guidelines for methodologies and for the format and content of national communications would facilitate such technical work, and would provide a basis for checking the consistency and completeness of the information included in national communications. Furthermore, such guidelines would ensure comparability and therefore facilitate the assessment of aggregate results.

12. Even with a prior technical analysis, it would be difficult for the COP and perhaps also for its subsidiary bodies to digest all the information as provided. Therefore, in addition to a technical analysis, the desirability of a compilation and synthesis of information may be considered. It would provide the Subsidiary Body for Implementation (SBI) with an overview of the communications and a basis for its assessment of the overall effects of policies and measures.

13. If the Committee considers making provision for a technical analysis and for a compilation and synthesis of the national communications, it may wish to indicate the scope of these activities, draw up a list of elements to be covered by the analysis and the synthesis, and clarify the roles of the Subsidiary Body for Scientific and Technological Advice (SBSTA) and the SBI in the preparation of the above, as well as the need for technical support by the interim secretariat, bearing in mind the availability of funding and other relevant resources and support (see documents A/AC.237/33 and A/AC.237/40).

IV. INFORMATION ON THE GLOBAL SITUATION

A. The need for information on the global situation

14. The information on the global situation may be broadly characterized as scientific, technical and economic. The scientific information relates both to climate change itself and to the potential impacts of such change. Technical information relates mostly to various response options to adapt to climate change or to mitigate such change. Economic information would

relate to response options, as well as to potential impacts of climate change. In many cases, however, information would relate to more than one category.

15. Such information on the global situation would be needed as a basis for reviewing the adequacy of the commitments in Article 4.2(a) and (b), but also as a background or context against which information submitted by individual Parties can be assessed. The integrity, consistency and reliability of the information on the global situation is critical to the review process and the acceptance by the general public, and therefore to the successful long-term implementation of the Convention.

16. An important element of such information is the establishment of comparable methodologies for national inventories of emissions and removals of greenhouse gases (see document A/AC.237/34). Other elements would include a comprehensive picture of global emissions and removals of gases that affect climate, an identification of the factors that will affect future trends in emissions and removals of greenhouse gases, the development of methodologies to project national emissions and removals over periods of a decade and beyond, methodologies for evaluating the effectiveness of measures, and scenarios for possible global developments. Such scenarios are needed as inputs to global climate models. They should not be taken as predictions but rather as plausible alternatives within a range of possibilities for the future, that can also be used to test the sensitivities of various climate change results and their impacts to different assumptions about key factors that affect anthropogenic emissions.

17. Inputs to the assessment of the global situation should contain estimates of potential effects of human activities on the climate and its related systems. Ideally, these estimates should not only be global but also regional on as fine a level of disaggregation as possible, to allow individual countries to see what effect different levels of human greenhouse gas emissions might have on them. Based on the science regarding climate change, the related impacts of climate change on ecosystems, biodiversity, socio-economic sectors, coastal zones, etc., can be estimated, or at least the sensitivity of potentially vulnerable systems and areas to a range of possible climate impacts based on estimates from climate models. The information on the global situation should include a review of possible methodologies for conducting impact/sensitivity analysis and adaptation response assessment, including cost/benefit analysis.

18. This information should also include a review of the broad range of mitigation options for reducing greenhouse gas emissions from sources and protecting and enhancing greenhouse gas sinks and reservoirs. Both individual (project-specific and national) and aggregate impacts of these options should be noted, and possible methodologies for quantifying impacts on emissions and removals as well as cost/benefit assessment should be identified. Feasibility factors (technical, economic and political/social) which can be applied to individual national situations should also be identified.

B. Compilation and synthesis of information

19. Elements of the information described above may be supplied by international organizations, intergovernmental bodies such as the Intergovernmental Panel on Climate Change (IPCC), and non-governmental organizations. The SBSTA could compile and synthesize the

information concerned from different sources into an overall assessment report, which would provide the COP and, as appropriate, the SBI, with relevant information and advice (see document A/AC.237/33).

20. The synthesis report would integrate available information and present it in a form such that it could be used by the COP to evaluate the current situation and assess the effectiveness of implementation of the Convention. Special attention in preparing the synthesis report should be given to:

- (a) Any major recent changes in the science of climate change and in the trends of greenhouse gas concentrations in the atmosphere;
- (b) Methodologies for estimating greenhouse gas emissions by sources and removals by sinks, for comparing the respective contributions to climate change of different greenhouse gases and for evaluating the effectiveness of measures to reduce emissions and increase removals;
- (c) Recent scientific developments regarding effects, especially regional effects, sensitivities of ecosystems, vulnerability of food production and impacts on sustainable economic development; and
- (d) Recent technical and/or economic developments related to response options either to mitigate climate change or to adapt to such change.

21. The synthesis report should note where and how the results of the global assessment relate to specific provisions of the Convention and identify those issues that are raised by, and policy options that result from, the findings of the assessments. Thus, the synthesis report provides a technical interface between the purely scientific and technical results of available information and the political level of the COP.

22. A further section of the synthesis report could assess at a technical level how the aggregate response, as indicated in national communications and other information, might be viewed against the background of the global situation regarding science, impacts, technology and economics. This latter section, as well as earlier sections of the synthesis report, should not make judgments but only identify the most relevant information and issues for consideration by the COP; elements to help the COP determine subsequent actions might also be given. The Committee may consider the scope and content of a synthesis report of information on the global situation, and clarify the respective roles of the SBSTA and the SBI in its preparation, as well as the need for technical support by the interim secretariat, bearing in mind the availability of funding and other relevant resources and support (see documents A/AC.237/33 and A/AC.237/40).

V. FIRST REVIEWS BY THE CONFERENCE OF THE PARTIES

A. Review of information

23. The COP, as the supreme body of the Convention, shall keep under regular review the implementation of the Convention (Article 7.2). More specifically, it shall "assess, on the basis of all information made available to it in accordance with the Convention, the implementation of the Convention by the Parties, the overall effects of the measures taken pursuant to the Convention, in particular environmental, economic and social effects as well as their cumulative impacts and the extent to which progress towards the objective is being achieved" (Article 7.2(e)). The objective (Article 2) itself has to be interpreted in the light of the available information. However, at COP I, only the implementation of commitments by Annex I Parties and the aggregate effects of measures taken by them will be reviewed, based on the information communicated by those Parties.

24. In light of the reference in Article 4.2(a) and (b) to action by "each" Annex I Party with respect to "its" emissions and "its" sinks and reservoirs, as well as to the "need for equitable contributions by each of these Parties to the global effort" regarding the objective of the Convention, it may be assumed that the COP will review information communicated by each Annex I Party individually, in addition to assessing the aggregate effort of all Annex I Parties.

25. The Committee may consider how these individual communications are to be reviewed, taking into account the role of the SBI as stated in Article 10. For example, should the review of results of individual Annex I Party actions consider only emissions from sources? Would it be useful to consider categories of measures and the projected and/or achieved results? There may be merit in developing a process that is flexible, cooperative, transparent and non-confrontational, letting it evolve over time in light of the experience gained during the earlier stages of implementation. 5/ Provided that transparency is maintained, consultations among Parties with common interests could be a useful, albeit informal, element of the review process. The Committee will be informed of current consultations involving countries included in Annex I to the Convention in order to prepare their initial communications.

26. By virtue of its mandate to keep under review the implementation of all aspects of the Convention, the COP could also review the situation both with regard to technology development and with regard to technology dissemination, including technology transfer. It could also review the implementation of Article 4.3, 4.4 and 4.5.

27. In the context of its review of national communications, the COP could review the participation in the global effort to achieve the objective of the Convention including:

- the number of countries that have ratified the Convention or acceded to it;
- the number of Annex I Parties and other Parties that have accepted the commitments in Article 4.2(a) and (b);

- the number of Annex I Parties that have communicated information on policies and measures and the projected results of these actions, in accordance with Article 12.2; and
- the aggregate contribution of each of these groups of Parties to estimated and projected global emissions of greenhouse gases.

28. As far as the review of the global situation is concerned, the Committee may wish to consider the following suggestions. The COP should take into account all relevant factors and information. In particular, it should consider whether the state of science regarding climate change and its possible impacts has provided a greater (or lesser) cause for concern than at the time of the negotiation of the Convention, and whether the information on technical, economic and other factors regarding response options gives more (or less) confidence in the ability of the Parties to take actions to mitigate anthropogenic climate change or to adapt to it.

29. The science of climate change is of obvious relevance to the long-term response effort. The many uncertainties regarding aspects of the science at the time of the original negotiations are reflected in the agreed commitments on mitigation measures. At the same time, it was recognized that a precautionary approach should be taken even in the face of scientific uncertainties. Any new information that would help to determine with more confidence appropriate response levels would be of critical importance to the COP and should be brought to the attention of the COP.

30. The COP may wish to review the state of knowledge about potential regional impacts of climate change, especially in those regions that are most vulnerable to climate change (as noted in Article 4.8). The sensitivity of various ecosystems to different magnitudes and rates of climate change is also of considerable importance not only to countries where such ecosystems exist but also in relation to the ultimate objective of the Convention as set forth in Article 2. Costs and socio-economic factors associated with impacts and adaptation options might be examined by the COP as part of the review of the global situation. In view of the objective of the Convention, potential impacts on food production and on sustainable development also deserve special attention.

31. The review of the global situation regarding mitigation options will be particularly important. For any specific response option, differences of appreciation may exist among Parties, for example with respect to technical feasibility, economic feasibility, and the barriers to the introduction of an option in a particular national situation.

32. The COP may not want to make judgments relative to the possible merits of one or another response option, but could take note of the range of options available on a global scale and the range of factors that affect the likelihood of their being implemented in differing situations. Important trends which may change the feasibility of certain options over time might especially be noted, particularly if they involve legal or institutional barriers (for example, the existence of subsidies for less-desirable competing alternatives) which are directly under the control of the Governments of the Parties (see also Article 4.2(e)(ii)).

B. Review of the adequacy of the commitments in Article 4.2(a) and 4.2(b)

33. Article 7.2(a) mandates the COP to "periodically examine the obligations of the Parties and the institutional arrangements under the Convention, in the light of the objective of the Convention, the experience gained in its implementation and the evolution of scientific and technological knowledge". More specifically, Article 4.2(d) calls on COP I to review the adequacy of Article 4.2(a) and (b). Such review shall be carried out in the light of the best available scientific information and assessment on climate change and its impacts, as well as of relevant technical, social and economic information. Based on this review, the COP shall take appropriate action, which may include the adoption of amendments to the commitments in these subparagraphs. A second review of these subparagraphs shall take place not later than 31 December 1998, and thereafter at regular intervals determined by the COP until the objective of the Convention is met.

34. If the scientific assessment indicates that the risk of human-induced climate change is still significant and that the potential adverse impacts of such change are also serious, the COP must address the question of the adequacy of the mitigation response as laid down in Article 4.2(a) and (b). When reviewing the adequacy of Article 4.2(a) and (b), the factor of uncertainty, inherent in estimates of present and projected levels of emissions and removals of greenhouse gases and in assessments of the effectiveness of mitigation measures, should be kept in mind. The task of the COP will be to assess the implementation of commitments by Annex I Parties and the aggregate effects of measures taken by them, as well as the adequacy of the commitments in Article 4.2(a) and (b).

35. As suggested earlier, in addition to national communications, the COP could have at its disposal a technical analysis and a compilation and synthesis of the information included in national communications, as well as a synthesis of the information on the global situation. Once the scope and content of these analyses and syntheses have been defined, the Committee may consider whether these would provide sufficient information to the COP to carry out its first review of the implementation and adequacy of Article 4.2(a) and (b), and if not, what further action should be taken.

C. Conclusions

36. The principle bases for the reviews by the COP will be the reports submitted by its subsidiary bodies (Article 7.2(j)). In this regard, an essential element is the report of the SBI, which should include an assessment of the overall aggregated effect of the steps taken by the Parties and elements to assist the COP in carrying out the reviews required by Article 4.2(d), drawn from the information communicated by Parties in accordance with Article 12.1 and 2. The Committee may wish to consider the best way of ensuring the performance of the functions of the subsidiary bodies established by the Convention in time to contribute to the review to be undertaken by COP I (see document A/AC.237/33 para. 20).

37. These reviews will determine subsequent actions to be undertaken to maintain the momentum towards the objective of the Convention. The results of the reviews might indicate, for example, that the participation by Annex I Parties needs to be broader, in which case the

COP would have to consider actions which could encourage additional countries to ratify or accede to the Convention and become Annex I Parties. The reviews might also indicate that more needs to be done to fulfil existing commitments, or that commitments need to be strengthened, or both. In that case, the COP might consider amending Article 4.2, or initiating negotiations on a protocol in accordance with Article 17.

38. The COP must consider and adopt regular reports on the implementation of the Convention and ensure their publication (Article 7.2(f)). This question is briefly discussed in section II, para. 17 of document A/AC.237/36. The Committee may consider the format and content of the first progress report to be published on the implementation of the Convention.

Notes

1/ The Committee may also consider the possible links between the communication of information for the purposes of the Convention and information on the implementation of Chapter 9 (Atmosphere) of Agenda 21, and make recommendations thereon to the Commission on Sustainable Development.

2/ The "end of the present decade" is not defined in either Article 4.2(a) or (b). Therefore, it will be up to the COP to decide if the end of the present decade can be generally taken as being the end of the year 2000 (see also document A/AC.237/35, para. 23).

3/ One question to be examined concerns the submission of material on emissions of ozone-depleting gases, controlled by the Montreal Protocol, and those of substitutes not yet controlled by any international agreement, both categories being also greenhouse gases.

4/ The instrument of ratification of Monaco contains a declaration, that indicates its intention to be bound by Article 4.2 (a) and (b), in accordance with Article 4.2(g).

5/ It may be recalled that Article 13 stipulates that COP I shall consider the establishment of a multilateral consultative process, available to Parties on their request, for the resolution of questions regarding the implementation of the Convention. This matter is to be dealt with by the Committee at a future session (see task C.3: "Consideration of the establishment of a multilateral consultative process for the resolution of questions regarding implementation", in document A/AC.237/24, para. 44).